



LAND USE SERVICES DEPARTMENT

CURRENT PLANNING DIVISION

PLANNING COMMISSION STAFF REPORT



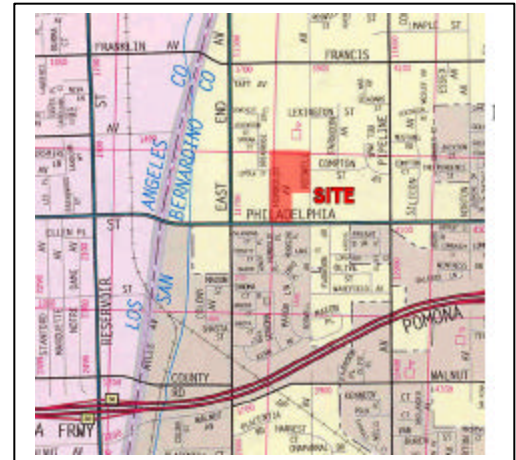
HEARING DATE: April 8, 2004

AGENDA ITEM NO: 2

Project Description

APPLICANT: CENTERSTONE COMMUNITIES/HARRY KETO
APN: 1013-501-10*
PROPOSAL: A) **GENERAL PLAN AMENDMENT** TO CHANGE THE LAND USE DISTRICT FROM SINGLE RESIDENTIAL 1 ACRE MINIMUM (RS-1) TO SINGLE RESIDENTIAL 20,000 SF MINIMUM (RS-20M) ON 15 ACRES;
TENTATIVE TRACT 16396 TO CREATE 26 LOTS WITH WALL HT. VARIANCE, 6-9 FEET ON NORTH P/L, ON 15 AC.
COMMUNITY: CHINO/4TH SUPERVISORIAL DISTRICT
LOCATION: N/E CORNER OF PHILADELPHIA AVE. AND HUMBOLDT AVE., AND THE WEST SIDE OF ROSWELL AVE, WEST OF COMPTON ST. TERMINUS
JCS/INDEX: 12019CF1/W37-121/2002/TT 16396/TT01/GPA01
REP('S): SURESH DODDIAH/S.D. ENGINEERING ASSOCIATES

Vicinity Map



75 Hearing Notices Sent On: March 26, 2004

Report Prepared By: Biron R. Bauer

PC Field Inspection Date: April 5, 2004

Field Inspected By: Commissioner Dowling

SITE DESCRIPTION

Parcel Size: 15 acres GPA, Tract 16396
Terrain: Generally flat, with a less than 3% cross slope falling generally from North to Southwest.
Vegetation: Native grasses and weeds

SURROUNDING LAND DESCRIPTION

AREA	EXISTING LAND USE	OFFICIAL LAND USE DISTRICT	IL
Site	Farm house/undevp. lot, horse corrals, fencing	RS-1, Single Family Residential 1 Acre Min. Parcel Size	IL-1
North	Briggs Fundamental School (K-8)	RS-1, Single Family Residential 1 Acre Min. Parcel Size	IL-1
East	Roswell Ave., Single Fam. Residential	RS-1, Single Family Residential 1 Acre Min. Parcel Size	IL-1
South	Philadelphia Ave. Single family residential	RS-1, Single Family Residential 1 Acre Min. Parcel Size	IL-1
West	Single family Residential (Tr. 16108, Young Hms.)	RS-20m, Single Family Residential 20m sq. ft. Min. Parcel Size	IL-1

AGENCY

City Sphere of Influence/MAC/CAP: City of Chino
Water Service: Monte Vista Water District
Septic/Sewer Service: DEHS-Approved City of Chino

COMMENT

Recommendations Incorporated in COA's Adequate Service Available
 Sanitary Sewer System, Pre-Annex Agreement

STAFF RECOMMENDATION: RECOMMEND that the Board of Supervisors **ADOPT** the General Plan Amendment to RS-20m and **APPROVE** Tentative Tract 16396

CENTERSTONE/S.D. Engineering
GPA/ W37-121/TT 16396
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BACKGROUND:

The applicants are proposing a General Plan Amendment (GPA) to change the site Official Land Use District (OLUD) from Single Residential, 1 acre minimum lot size, (RS-1) to Single Residential, 20,000 sq. ft. minimum lot size (RS-20m) on fifteen (15) acres. A tentative tract application (TT 16396) is concurrently filed for the development of a twenty-six (26) lot, single-family residential subdivision on the fifteen (15) acre GPA site. A Variance is also included to allow the wall height along the north property line (north of Lot 26) up to a maximum of 9 feet in lieu of the 6-foot height limitation in residential areas. The site is undeveloped and covered by common grasses and weeds. The project is located on the west side of Roswell Ave. just south of Briggs Fundamental School (K-8), north of the City of Chino. The site is relatively flat, with a less than 3% cross slope, falling generally from the north to the southwest boundaries. This is a vacant, in-fill lot that is fully disturbed by previous farming, equestrian and agriculturally-related activities. Thus, there are no significant native flora or fauna remaining on the subject site.

ANALYSIS:

The neighborhood surrounding the project site generally consists of half-acre or more lots with an eclectic mix of residential structures, ranging in age from approximately 25 years to much newer tract homes to the west, backing up to East End Ave. The Chino community has had a number of recent subdivision proposals near this location allowing lots averaging 20,000 square feet or more. This subdivision proposes 26 lots ranging in size from 20,000 sq. ft. to 27,000 sq. ft. The proposed lots meet the minimum lot size for septic tanks as required by the Santa Ana Regional Water Quality Control Board (SARWCB). However, the project is proposing to be connected to the City of Chino sanitary sewer system. Water is provided by the Monte Vista Water District

Proposed Lots 21 through 26 front on Roswell Ave. to the west, a local street that is already improved but will require curb cuts for new driveways. This street feeds into Philadelphia St. on the south, an existing road designated as a "secondary highway" on the General Plan. The tract map also utilizes the previously-dedicated, right-of-way for Humboldt Ave. on the west as access for the proposed three cul-de-sacs. Loyola Court is the northeasterly continuation of the private street from Tract 16108 (to the west) and was originally planned to be a subsequent section of that "gated tract" and its Home Owners Association (HOA). This private street and upgraded landscaped easement along Philadelphia St. will both be maintained by a HOA created specifically for Centerstone Tract 16396.

The variance in wall height is needed at only one location adjacent to Lot 26, due to the higher elevation (1.7 to 3 ft. differential) of the northerly adjacent school property. The lots must either drain to streets or accommodate cross-lot drainage. The engineer, at staff's request, redesigned his drainage pattern to reduce the need for retaining walls with higher elevations at the southerly boundary of the tract adjacent to landscaping; however, Lot 26 still requires a combination retaining and garden wall that will exceed the maximum 6 foot height allowed.

A Traffic Study was required for this project, but according to the report analysis, twenty-six, half-acre lots would have only minor impacts on the traffic circulation; therefore no "fair-share" contributions were required. Traffic did require a conventional left turn pocket lane (and standard striping) off of Philadelphia St., north onto Humboldt Ave.

The subdivision lies within the sphere of influence of the City of Chino. A referral was sent to the City and there was a written response with approximately 20 conditions that have been incorporated into Planning items in the proposed conditions of approval. Conditions of approval received from the Chino Independent Fire Protection District were also incorporated into the Conditions of Approval. This project is consistent with the City Sphere of Influence Plan that shows this site proposed as future RD-2 uses (Residential/Agricultural) large lot, rural residential development in a "non-urbanized" environment that allows for some "horse-keeping". The City Plan shows the future designation of Philadelphia Street as a secondary highway.

Although there were no letters received expressing opposition to this proposal during the review and comment period, there was some interest shown by a group of 11 nearby property-owners concerning issues of privacy, drainage, street traffic, continued horse use, etc. These issues have been addressed by the conditions prepared for the project. Staff discussed the project with a few property owners who questioned staff in the field at the site review. They were shown the tract map and proposed 110 ft. lot widths on Roswell Ave., which satisfied their concerns. Staff also responded to phone contacts regarding consistency of the 20,000 sq. ft. lot sizes, city sewers; the surrounding urbanizing uses, including equestrian uses; and the potential for seasonal drainage concerns.

Staff recommends approval of the proposed project as being consistent with the surrounding lots and the development pattern in the area. On March 8, 2003, the Development Review Committee (DRC) reviewed the project, discussed conditions of approval that the developer was in agreement with and recommended approval to the County Planning Commission.

An Independent Initial Study in compliance with the California Environmental Quality Act (CEQA) has been completed for the project that determined the proposal will not have any significant adverse impacts after implementation of appropriate Conditions of Approval (Exhibit "F"). Therefore, a Negative Declaration is recommended for adoption.

FINDINGS -General Plan Amendment (GPA) W37-121:

1. The proposed land use district change to RS-20m is in the public interest, there will be a community benefit and other existing and permitted uses will not be compromised because the district change meets the minimum land use district size and represents a urban "infill" project. The project will increase the available housing stock in the area, and the project will qualify for connection to City of Chino sewers.
2. The proposed land use district change will provide a reasonable and logical continuation of the surrounding lot size patterns, and is consistent with the goals and policies of the General Plan, as follows:

Goal 0-43 -which encourages a compatible and harmonious arrangement of land uses in urban areas by providing a type and mix of functionally, well-integrated land uses that meet general social and economic needs.

Policy LU-2 (b) Allow varied approaches to residential development in order to foster a variety of housing types and densities and more efficient use of the land.

3. The proposed land use district change does not conflict with the provisions of the County Development Code, or Chino planning area, since the project, as conditioned, is consistent with requirements for minimum district size and minimum lot size. In addition, the project as proposed is consistent with the city preference that recommends the RS-20m designation, as not precluding a "rural residential" lifestyle by allowing for some remaining animal uses.
4. The proposed land use district change will not have a substantial adverse effect on surrounding property, as there is adequate area to comply with development. The proposed project will not have a significant effect on the environment. A negative declaration can be supported by the independent project Initial Study.
5. The proposed General Plan Land Use District Amendment will not have a significant effect on the environment. An independent Initial Study was completed for the concurrently filed General Plan Amendment and the Tentative Tract applications. The proposed Conditions of Approval will reduce the impacts of the project to a level below significance.
6. The Negative Declaration reflects the County's independent judgment and analysis.

FINDINGS: Tentative Tract 16396 (26 lots)

1. The proposed subdivision together with the provisions for its design and improvements is consistent with the San Bernardino County General Plan because the design and improvements conform with the provisions of the Single Family Residential land use district including the location criteria and building density standards. The General Plan Amendment that has been filed concurrently with the Tentative Tract, if approved, will change the land use district to RS with a minimum lot size of 20,000 square feet. The project is consistent with General Plan goals and policies as-follows:

LU-2 - which requires the design and siting of new residential development that meets locational and development standards that ensure compatibility with adjacent land use and community character and encourages the fostering of a variety of housing types and densities and more efficient use of the land;
2. The site is physically suitable for the proposed type and density of development, as the land is adequate in size, shape and topography to accommodate the proposed residential land use, setbacks, walls, fences and other requirements.
3. The proposed subdivision design and improvements are not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. An Initial Study has been prepared to analyze the environmental factors and determined that all issues can be mitigated to a level of below significance with normal project conditions of approval.
4. The design of the subdivision and any related type of proposed improvements are not likely to cause serious public health problems or cause threat to life and property from a conflagration, because the design and density proposed are such that hazards from flood, fire, noise and other potential public health hazards are minimized.
5. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

6. The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities.
7. The proposed subdivision, its design, density, and type of development and improvements conform to the regulations of the Development Code and the regulations of any public agency having jurisdiction by law. The General Plan Amendment that has been filed concurrently with the Tentative Tract will change the land use district to RS with a minimum lot size of 20,000 square feet.
8. The proposed subdivision is not a land project.
9. The proposed project will not have a significant effect on the environment. An Independent Initial Study has been prepared to analyze the environmental factors and determined that all issues are less than significant with normal project conditions of approval.
10. The Negative Declaration reflects the County's independent judgment and analysis.

FINDINGS: VARIANCE (to permit wall height up to a maximum of nine (9) feet in lieu of the 6 foot maximum height in the RS Land Use District)

1. The granting of this variance will not be materially detrimental to other properties or land uses in the area because the additional block wall height will not affect the adjacent undeveloped acreage and in the future, will provide additional privacy for any development that may be proposed on the adjacent site. Approval of this variance will not substantially interfere with the present or future ability to use solar energy systems because the additional height of the wall will be vertical and will not block solar energy.
2. There are exceptional or extraordinary circumstances or conditions applicable to the property or the intended use that do not apply to other properties within the same district or vicinity because the school site adjacent to Lot 26 has already been graded/elevated to allow the school site to drain properly to streets, as required by the Public Works Department/Land Development Section.
3. The strict application of the land use district standards deprives this property of privileges enjoyed by other properties in the vicinity or in the same land use district because the elevation of the adjacent school site created a unique and singular topographical feature resulting in a hardship peculiar to Lot 26 that necessitates construction of a maximum nine (9) foot retaining wall/wall to accommodate proper drainage.
4. The granting of the variance is compatible with the objectives, policies, general land uses and programs specified in the General Plan because health and safety issues, such as drainage concerns, supercede aesthetic concerns. The approval of this variance is consistent with the following General Plan policy: FL-6, which requires that drainage be controlled to prevent flooding of adjacent and downstream properties.
5. This Major Variance is exempt from CEQA review

RECOMMENDATION: That the Planning Commission **RECOMMEND** that the County Board of Supervisors consider and act on the following:

A) ADOPT a Negative Declaration;

B) ADOPT General Plan Amendment W37-121 to change the Official Land Use District (OLUD) from Single Residential-1 acre minimum lot size to Single Residential 20,000 s.f. minimum lot size (RS-20m) on 15 acres;

C) APPROVE Tentative Tract Map 16396, to create twenty-six lots on 15 acres, subject to the proposed Conditions of Approval;

D) APPROVE the Major Variance to allow wall height up to 9 feet in lieu of the 6-foot maximum height along a portion of the northerly property line, affecting Lot 26;

E) ADOPT the Findings as contained in the staff report; and

F) FILE a Notice of Determination.

Attachments: Exhibit A: Vicinity Map
Exhibit B: Official Land Use District Map
Exhibit C: Assessors Parcel Map
Exhibit D: Tract Map
Exhibit E: Conditions of Approval
Exhibit F: Initial Environmental Study
Exhibit G: Site Photos